

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KEITH SEWELL

Plaintiff,

vs.

**UNITED STATES OF AMERICA
Defendant.**

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**C.A. No. 04-85Erie
District Judge Cohill
Magistrate Judge Baxter**

ORDER

AND NOW, this 1st day of December, 2005;

IT IS HEREBY ORDERED that Plaintiff file a pre-trial narrative statement before December 12, 2005. Plaintiff is again advised that the taking of a deposition in no way relieves Plaintiff of his obligation to file a pre-trial statement. At this point in the case, the deposition, as well as any other materials produced during discovery, are not before this Court.

The pre-trial statement must include a narrative statement of the facts that will be offered by oral or documentary evidence at trial and shall include a list of all exhibits to be offered into evidence at the trial of the case and a list of the names and addresses of all witnesses the plaintiff intends to call. Plaintiff shall include a summary of the anticipated testimony of all witnesses.

Plaintiff has previously been warned that his failure to file the pre-trial statement will result in the dismissal of this case for failure to prosecute. Plaintiff's continued failure to file the pre-trial statement will result in sanctions including the dismissal of this case for failure to prosecute.

IT IS FURTHER ORDERED that Defendants file a pre-trial statement within three weeks of the date upon which Plaintiff files his statement.

S/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
CHIEF UNITED STATES MAGISTRATE JUDGE